

## Message Text

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44

ACTION AID-59

INFO OCT-01 EA-07 ISO-00 L-03 CPR-01 IGA-02 OMB-01 TRSE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 EB-07 /124 W

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P 201205Z APR 76

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC PRIORITY 4076

CONFIDENTIAL BANGKOK 10761

E.O. 11652: GDS

TAGS: PFOR, EAID, TH

SUBJ: PRIVILEGES AID IMMUNITIES IN THE NEW AID BILATERAL

REF: A) STATE 92083 B) BANGKOK 7591 C) STATE 62647 D) BANGKOK  
3367 E) STATE 19989

1. AS WE READ THE POLITICAL SCENE IN THAILAND TODAY, THERE IS LITTLE CHANCE THAT THE NEW GOVERNMENT IS GOING TO FOCUS ON OUR AID BILATERAL TALKS AT THE POLITICAL LEVEL WITHIN THE FORESEEABLE FUTURE OR TAKE AN INTEREST IN SOFTENING THE RTG POSITION ON THE PRIVILEGES AND IMMUNITIES QUESTION. LIKE MARK TWAIN'S DEATH, THE REPORTS THAT THE SENI GOVERNMENT WOULD RECONSIDER ACTIONS OF ITS PREDECESSOR HAVE BEEN GREATLY EXAGGERATED.

2. THE PRIVILEGES AND IMMUNITIES OF MILITARY ASSISTANCE PERSONNEL UNDER THE MILITARY ASSISTANCE AGREEMENT OF 1950 DO NOT, UNFORTUNATELY, CONSTITUTE THE PRECEDENT WE WISH THEY DID IN THE AID NEGOTIATIONS FOR TWO REASONS: FIRST, WE HAVE AN ACTIVE AND INFLUENTIAL CONSTITUENCY IN THE THAI MILITARY BECAUSE THE U.S. IS THE ONLY SOURCE OF FOREIGN MILITARY ASSISTANCE. SUCH IS NOT THE CASE WITH OUR ECONOMIC AID. SECONDLY, THE RTG IS NOT AS CONCERNED ABOUT THE PRECEDENT PROBLEM IN THE MILITARY CASE BECAUSE IT DOES NOT HAVE TO REGULARIZE OUR MAAG VIS A VIS CONFIDENTIAL

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THE STATUS OF OTHER MILITARY DONORS - AS IT FEELS

COMPELLED TO DO IN THE ECONOMIC ARENA.

3. AS WE REPORTED IN PARA 8, REF D, RTG INTEREST IN  
RENEGOTIATION THE BILATERAL AROSE UNDER THE FIRST SANYA  
GOVERNMENT IN EARLY 1974. BOTH THE MAIN THAI MOTIVES  
FOR REWRITING THE BILATERAL AND THE MEN WHO ESPOUSE THEM  
ARE STILL IN PLACE AND WE EXPECT THEM TO REMAIN FOR SOME  
TIME TO COME.

4. REGARDING PARA 3, REF A, WE CAN NOT ENVISION THE RTG  
(ESPECIALLY MFA) ABANDONING ITS QUEST FOR REGULARIZATION  
OF ITS ECONOMIC ASSISTANCE AGREEMENTS ACROSS THE BOARD,  
AND ITS ELIMINATION OF THE PERCEIVED INEQUALITIES IN THE  
EXISTING THAI/U.S. AGREEMENT. WE BELIEVE A PROPOSAL ALONG  
THESE LINES WOULD BOOMERANG AGAINST US.

5. ALL OF THE ANALYSIS IN REF B REMAINS VALID AS WRITTEN.  
WE ARE CONVINCED THAT THE BEST WAY OUT OF OUR CURRENT IMPASSE  
WITH THE RTG IS TO FOLD A LEAN AID ELEMENT INTO THE EMBASSY.  
THE NATURE AND SIZE OF THE PROGRAM DOES NOT WARRANT A SEPARATE  
AID MISSION, AND THE TONE OF THE TIMES HERE DICTATES A SMALL  
AND AUSTERE STAFF, WITH A NAME SUCH AS ECONOMIC ASSISTANCE  
SECTION, WORKING OUT OF THE EMBASSY PROPER.

6. AS TIME HAS WORN ON, THE MILITARY PRESENCE TALKS HAVE  
SLID INTO PERSPECTIVE. WE CONSIDER LESS AND LESS APPROPRIATE  
A CONFIDENTIAL SIDE AGREEMENT WIHT THE RTG--WHICH WE RECOMMENDED  
AND WASHINGTON REJECTED SOME MONTHS AGO (REFS C AND E)--ON  
DIPLOMATIC IMMUNITIES WHICH THE THAI ADAMANTLY REFUSE TO HAVE  
STATED EXPLICITLY IN THE BILATERAL. WHILE THE THAI WERE SERIOUSLY  
INTERESTED IN THIS PROPOSAL LAST FALL, WE DOUBT THEY WOULD GO  
ALONG WITH IT NOW WITH UNDER SECRETARY ANAN ON THE SCENE AND  
A NEW GOVERNMENT IN CHARGE. ON BALANCE, AS NOTED ABOVE,WE  
BELIEVE FOLDING THE AID MISSION INTO THE EMBASSY IS THE BEST  
SOLUTION.

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PRIVILEGES, ECONOMIC ASSISTANCE, TECHNICAL ASSISTANCE, AGREEMENTS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 20 APR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ullricre  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BANGKO10761  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760149-0143  
**From:** BANGKOK  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760445/aaaabmax.tel  
**Line Count:** 97  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION AID  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 92083, 76 BANGKOK 7591, 76 STATE 62647  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ullricre  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 02 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <02 JUN 2004 by BoyleJA>; APPROVED <28 SEP 2004 by ullricre>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PRIVILEGES AID IMMUNITIES IN THE NEW AID BILATERAL  
**TAGS:** PFOR, EAID, TH, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006